

H. R. 229.

[Report No 131.]

IN THE HOUSE OF REPRESENTATIVES,

MARCH 31, 1852.

Read twice.

APRIL 1, 1852.

Committed to the Committee of the Whole House on the state of the Union.

Mr. COBB, from the Committee on Public Lands, reported the following bill :

A BILL

Granting the right of way to the State of Alabama, and a portion of the public lands, to aid in the construction of a railroad from Memphis, in the State of Tennessee, to intersect the Charleston, Chattanooga and Nashville railroad, in Alabama.

1 *Be it enacted by the Senate and House of Repre-*
2 *sentatives of the United States of America in Congress*
3 *assembled,* That the right of way through the public lands
4 be, and the same is hereby granted to the State of Alaba-
5 ma, for the construction of a railroad from Memphis,
6 Tennessee, to intersect the Charleston, Chattanooga and
7 Nashville railroad at a point in Jackson county, Alabama,
8 with the right also to take necessary materials of earth,

9 stone, timber, etc., for the construction thereof: *Provi-*
10 *ded*, That the right of way shall not exceed one hun-
11 dred feet on each side of the length thereof, and a copy of
12 the survey of said road, under the direction of the legis-
13 lature of said State, shall be forwarded to the proper local
14 land offices respectively, and to the General Land Office
15 at Washington city, within ninety days after the comple-
16 tion of the same.

1 SECT. 2. *And be it further enacted*, That there be,
2 and is hereby granted to the State of Alabama, for the
3 purpose of aiding in constructing said road, every alternate
4 section of land designated by even numbers, for six sec-
5 tions in width on each side of said road; but in case it
6 shall appear that the United States have, when the line or
7 route of said road is definitely fixed by the authority afore-
8 said, sold any part of any section hereby granted, or that
9 the right of pre-emption has attached to the same, then it
10 shall be lawful for any agent or agents, to be appointed by
11 the Governor of said State, to select, subject to the ap-
12 proval of the Secretary of the Interior, for the purpose
13 aforesaid, of the lands remaining to the United States in
14 said sections, one-half thereof in alternate parts, so far as
15 may be practicable. And said agent or agents may, sub-
16 ject to the approval aforesaid, select from the lands of the
17 United States most contiguous to the tier of sections afore-

18 said, and not more than fifteen miles from the line of said
19 road on each side thereof, so much land, in alternate sec-
20 tions or parts of sections, as shall be equal to such lands
21 as the United States have sold, or to which the right of pre-
22 emption has attached as aforesaid, which lands, being equal
23 in quantity to one half of six sections in width on each
24 side of said road, the State of Alabama shall have and
25 hold to and for the use and purpose aforesaid, and said land
26 shall be disposed of only as the construction of said road
27 progresses, and shall be applied to no other purpose what-
28 ever.

1 SECT. 3. *And be it further enacted*, That the sec-
2 tions and parts of sections of land which by such grant
3 shall remain to the United States within six miles on each
4 side of said road, shall not be sold for less than double the
5 minimum price of the public lands when sold.

1 SECT. 4. *And be it further enacted*, That the lands
2 hereby granted to the said State shall be subject to the dis-
3 posal of the legislature thereof, for the purposes aforesaid
4 and no other; and the said legislature be, and is hereby
5 authorized and required to dispose of the proceeds of the
6 sales of said lands in the construction of said road, under
7 such conditions, limitations and restrictions, as will secure
8 the benefits thereof to the people of said State, and the
9 said road shall be and remain a public highway for the use

10 of the government of the United States, free from all toll
11 or other charge upon the transportation of any property
12 or troops of the United States.

1 SECT. 5. *And be it further enacted,* That the lands
2 hereby granted to said State shall be disposed of by said
3 State only in manner following, that is to say : that a quan-
4 tity of land not exceeding one hundred and twenty sec-
5 tions, and included within a continuous length of twenty
6 miles of said road, may be sold ; and when the Governor
7 of said State shall certify to the Secretary of the Interior
8 that twenty continuous miles of said road is comple-
9 ted, then another like quantity of land hereby granted may
10 be sold ; and so from time to time, until said road is com-
11 pleted ; and if said road is not completed within ten years,
12 no further sales shall be made, and the land unsold shall
13 revert to the United States.

1 SECT. 6. *And be it further enacted,* That the Uni-
2 ted States mail shall be transported over said road, at such
3 price as the Congress of the United States shall prescribe.